**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**WRIT PETITION No.8017 OF 2004**

**Dated:21.07.2006**

**Between:**

M.Karunasri W/o late M.Mohan Rao,
Junior Assistant, Sub-Treasury Office,
Wankidi Mandal & Post,
Adilabad District,
R/o H.No.2-192, N.H.Road, Asifabad,
Adilabad District.

**... PETITIONER**

**And:**

District Cooperative Officer, Adilabad
and others.

...**RESPONDENTS**

**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**WRIT PETITION No.8017 OF 2004**

**ORDER:**

This is a very unfortunate case. It seems the husband of the petitioner obtained some personal loan from the third respondent-Bellampally Cooperative Urban Bank Limited. Within seven months from the date of the marriage, the husband of the petitioner died. Thereafter, the third respondent is proceeding to recover the loan amount by obtaining a certificate under Section 71(2) of the Cooperative Societies Act from the second respondent-Cooperative Sub-Registrar, Asifabad, Adilabad, and now the third respondent is seeking to proceed against the petitioner for recovery of the said amount of Rs.28,249/-.

It is the case of the petitioner that she is not aware as to whether any loan has been taken by her husband, and according to her, no estate is left by her husband.

It seems the said transaction relates prior to her marriage. Therefore, the petitioner cannot be made responsible personally for the said amount. There is no necessity of going into all the details. In view of the above facts and circumstances, it is suffice to direct the respondents not to proceed against the petitioner for recovery of the amounts under the certificate issued by the second respondent. It is always open for the respondents to proceed against the sureties and against any other estate, if any, left by the late husband of the petitioner.

With the above direction, the writ petition is disposed of. No order as to costs.

_____

21.07.2006

sh